

### **REMARKS**

Claims in the case are 14, 16-18 and 24-28, upon entry of this amendment. Claims 14, 26 and 27 have been amended, no claims have been added, and no claims have been cancelled herein.

Claim 15 was cancelled without prejudice in an amendment dated 7 September 2005. Claim 23 was cancelled without prejudice in an amendment dated 16 May 2005. Claims 19 and 20 were cancelled without prejudice in an amendment dated 10 January 2005. Claims 1-13, 21 and 22 were cancelled without prejudice in previous amendments.

Claims 14, 26 and 27 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed with regard to the amendments herein and the following remarks.

Claims 14, 26 and 27 have been amended herein to remove recitations of ratios in the form of percentages. More particularly, Claim 14 has been amended herein to replace the recited ratio of "65% to 74%" with --0.65 to 0.74--. Claim 26 has been amended herein to replace the recited ratio of "74%" with --0.74--. Claim 27 has been amended herein to replace the recited ratio of "72%" with --0.72--.

In light of the amendments herein and the preceding remarks, Applicants' present claims are deemed to particularly point out and distinctly claim the subject matter which they regard as their invention. Reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 14-18, 24 and 25 stand rejected under 35 U.S.C. §§ 102(a or e) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over United States Patent No. 5,804,523 (**Oda et al**), United States Patent No. 5,885,916 (**Tajima et al**) or United States Patent No. 5,998,319 (**Hintermayer**), each taken alone. These rejections are respectfully traversed with regard to the amendments herein and the following remarks.

Oda et al disclose a sintered product of silicon nitride that includes: at least 70 mole percent of beta-silicon nitride; a Group 3a element that at least includes Lu; and impurity oxygen in the form of SiO<sub>2</sub>. See the abstract, and column 2, lines 44-60 of Oda et al. In addition, Oda et al teaches that the oxynitride content of the silicon nitride material is not critical. See column 4, lines 1-20 of Oda et al.

On page 3 of the Office Action of 28 September 2005, it is argued that Oda et al "teach a silica to rare earth ratio of up to 3.8." Applicants respectfully disagree, and respectfully submit that Oda et al actually disclose a ratio of  $\text{SiO}_2$  to  $\text{RE}_2\text{O}_3$  of 1.6 to 10, 1.6 to 3.5 and 1.6 to 2.7. See column 2, lines 44-60, and column 4, lines 60-64 of Oda et al.

Tajima et al disclose a dielectric material having a low dielectric loss factor for high frequency use, that includes a sintered product of silicon nitride containing: oxygen as an impurity in the form of  $\text{SiO}_2$ ; a Group 3a element; and less than or equal to 2 percent by weight of aluminum in the form of aluminum oxide. See column 3, lines 18-28 of Tajima et al.

On page 3 of the Office Action of 28 September 2005, it is argued that Tajima et al "teach a [silica to rare earth] ratio of up to 3.5." Applicants respectfully disagree, and submit that Tajima et al actually disclose a ratio of  $\text{SiO}_2$  to  $\text{RE}_2\text{O}_3$  of 1.5 to 10 and 1.8 to 3.5. See column 4, lines 45-50 of Tajima et al.

Hintermayer discloses a sintered silicon nitride that includes: silicon nitride; and 5 to 20 percent by weight of a glass component (e.g.,  $\text{SiO}_2$  or  $\text{Al}_2\text{O}_3$ ), which originally had a particle size of less than 2 micrometers. See the abstract, and column 1, lines 62-67 of Hintermayer.

On page 3 of the Office Action of 28 September 2005 it is argued that Hintermayer "teach a glass having greater than 65% silica," with reference to the table at column 3 thereof. Applicants respectfully submit that the Examiner's remarks in this regard are taken out of context, are not consistent with what Hintermayer actually teaches, and as such do not extend to or otherwise touch upon the silicon nitride material of Applicants' present claims. The glass disclosed in the table at column 3 of Hintermayer is merely a component from which Hintermayer's disclosed sintered silicon nitride is prepared, and does **not** include a silicon nitride component.

Oda et al, Tajima et al and Hintermayer, either alone or in combination do not disclose, teach or suggest a silicon nitride material according to Applicants' present claims: (i) that includes a sintering aid consisting of only  $\text{Al}_2\text{O}_3$  and  $\text{Y}_2\text{O}_3$ ; (ii) in which  $\text{SiO}_2$ ,  $\text{Al}_2\text{O}_3$  and  $\text{Y}_2\text{O}_3$  are present in the boundary phase; (iii) in which the ratio of  $(\text{SiO}_2)$  to  $(\text{SiO}_2 + \text{Al}_2\text{O}_3 + \text{Y}_2\text{O}_3)$  is from greater than 0.65 to 0.74 (e.g., 0.72 or 0.74);

(iv) that has a silicon oxide nitride content of less than 1 percent by weight; and (v) that has a porosity of less than 0.5 percent by volume. In addition, Oda et al, Tajima et al and Hintermayer, either alone or in combination, do not disclose, teach or suggest a silicon nitride material according to Applicants' present claims that has a mass loss of less than or equal to  $0.3 \text{ mg/cm}^2$  when immersed in HCl at a temperature of  $60^\circ\text{C}$  for 500 hours.

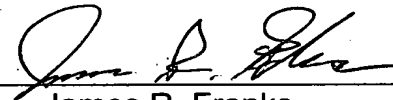
The unique and unexpected properties of the silicon nitride material of Applicants' present claims is demonstrated with reference to Examples 1a through 1d, and 2a through 2c, as summarized in Table 1 on page 9 of the specification. Those silicon nitride materials according to the present invention (i.e., as represented by Examples 1b, 1c, 2b and 2c) provide a mass loss of less than or equal to  $0.3 \text{ mg/cm}^2$  when immersed in HCl at a temperature of  $60^\circ\text{C}$  for 500 hours. For purposes of illustration, Comparative Example 2a has an ( $\text{SiO}_2$ ) to ( $\text{SiO}_2 + \text{Al}_2\text{O}_3 + \text{Y}_2\text{O}_3$ ) ratio of less than 0.65 (i.e., of 0.30), and a  $60^\circ\text{C}$  HCl immersion weight loss of  $10 \text{ mg/cm}^2$  at 100 hours, and  $16 \text{ mg/cm}^2$  at 500 hours. Examples 1b, 1c, 2b and 2c, which are representative of Applicants' presently claimed silicon nitride material have  $60^\circ\text{C}$  HCl immersion weight loss values of less than or equal to  $0.3 \text{ mg/cm}^2$  at 100 hours and 500 hours. For purposes of quantitative comparison (with regard to the  $60^\circ\text{C}$  HCl immersion for 500 hours), the mass loss of the silicon nitride material of Comparative Example 2a ( $10 \text{ mg/cm}^2$ ) is 69.6 time greater than that of Example 2b ( $0.23 \text{ mg/cm}^2$ ), which is according to the present invention.

On page 3 of the Office Action of 28 September 2005, it is argued that Applicants' discussion of unexpected results is not persuasive for want of comparative examples that approximate the compositions of Oda et al, Tajima et al and Hintermayer. Applicants respectfully submit that the in light of the amendments herein and the preceding remarks, the compositions of the cited references do not reasonably extend to or otherwise touch upon the silicon nitride material of Applicants' present claims. As such, the mass loss of Applicants' claimed silicon nitride material after immersion in HCl, and the discussion thereof with reference to the examples of Applicants' specification is deemed to reasonably represent an unexpected and unique property thereof.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to be unanticipated by, and unobvious and patentable over Oda et al, Tajima et al and Hintermayer. Reconsideration and withdrawal of the present rejection is respectfully requested.

In light of the amendments herein and the preceding remarks, Applicants' presently pending claims are deemed to meet all the requirements of 35 U.S.C. §112, and to define an invention that is unanticipated, unobvious and hence, patentable. Reconsideration of the rejections and allowance of all of the presently pending claims is respectfully requested.

Respectfully submitted,

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